REMARKS

Applicant notes the filing of an Information Disclosure Statement herein on October 26, 2001 and note that no copy of the PTO-1449 was returned with the outstanding Office Action. Applicant respectfully requests that the information cited on the PTO-1449 be made of record herein.

The Office Action mailed February 10, 2005, has been received and reviewed. Claims 1 through 20 are currently pending in the application. Claims 1 through 20 stand rejected. Applicant has amended claims 1, 2, 8, 10, 12-14, and 16, and respectfully request reconsideration of the application as amended herein.

35 U.S.C. § 102(e) Anticipation Rejections

Anticipation Rejection Based on U.S. Patent No. 6,321,242 to Fogg et al.

Claims 1 through 3, and 6 through 20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Fogg et al. (U.S. Patent No. 6,321,242). Applicants respectfully traverse this rejection, as hereinafter set forth.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Applicants submit that the Fogg reference does not and cannot anticipate under 35 U.S.C. § 102(e) the presently claimed invention of amended independent claims 1, 8, and 16, and claims depending therefrom, because the Fogg reference does not describe, either expressly or inherently, the identical inventions in as complete detail as are contained in the claims. More specifically, Applicants submit that the Fogg reference does not describe, either expressly or inherently, the elements of the claimed inventions of presently amended independent claims 1, 8, and 16, namely:

> 1.   A method for preserving hyperlinks, comprising:
> *inviting a first computer including a hyperlink stored thereon to register said hyperlink with a second computer hosting a data file associated with said hyperlink; and*
> *when said first computer accepts an invitation to register,*
> *registering said hyperlink* stored on said first computer with said second

computer hosting said data file associated with said hyperlink; and
notifying said first computer of a change in said data file associated with said
hyperlink. (Emphasis added.)

8.   A method for preserving Internet or intranet communications,
comprising:
storing at a network server a hyperlink for linking to at least one data file stored on a
host server;
*inviting said network computer including said hyperlink stored thereon to register
said hyperlink with said host server hosting said at least one data file
associated with said hyperlink; and*
when said network computer accepts an invitation to register,
registering said hyperlink with said host server; and
*notifying a party responsible for maintenance of said hyperlink of any
changes* in said at least one data file that affect the integrity of said
hyperlink. (Emphasis added.)

16.   A registration and notification system for preserving the integrity of
hyperlinks, comprising:
a host server;
at least one data file accessible to said host server;
at least one remote server;
at least one hyperlink stored on said at least one remote server, said at least one
hyperlink associated with said at least one data file, said *host server further
configured to invite said at least one remote server said at least one remote
server including said at least one hyper link stored thereon to register said at
least one hyperlink with said host server hosting said at least one data file
associated with said at least one hyperlink*; and
a user database stored on said host server *for identifying said at least one hyperlink
associated with said at least one data file when said at least one remote
server accepts an invitation to register.* (Emphasis added.)

In contrast to the elements of the presently claimed inventions of amended

independent claims 1, 8, and 16 as set forth herein, the Fogg reference explicitly describes:

A feeding site (180) and a receiving site (190) [which] are computers connected to a
network such as the Internet (170) or an Intranet. The feeding site contains a
document (188) that provides an information link (197) to a document on the
receiving site (196). *The feeding and receiving site computers will each run a re-
linking process* (184). (Fogg, col. 4, lines 26-31; emphasis added).

FIG. 3A is an exemplary flow chart describing *the processes required to determine*
the URL of the feeder document and *add it to the receiving site database* (182). ...
[The feeding site] sends a request message to the receiving site's server (190). ...
[T]his message ... contains a referrer field that includes the URL of the document
which contains the link to the receiving site. ... Using this information *the receiving
site parses* the URL in the referrer field from the URL of the requested page (310).

The re-linking software *checks the receiving site database to see if the feeder* URL and corresponding receiver URL data *already exists* (320). If the data is already in the database the receiver re-linker does nothing (330). *If the data is not in the database the receiver* re-linker *appends it* (340). (Fogg, col. 4, line 59 through col. 5, line 15; emphasis added).

Applicants respectfully submit that the Fogg reference does not describe "inviting ... to register" or an "invitation ... to register" but rather mandatorily includes all network servers into the database. Furthermore, the Fogg reference describes a required process running on the feeding computer in order for the identification and notification of changes to the data file. Applicants' inventions require no such modifications or burdens to the network servers that hyperlink to the host server. Applicants submit that such a configuration as described by the Fogg reference, does not and cannot describe the presently claimed elements of the inventions of amended independent claims 1, 8, and 16 under 35 U.S.C. § 102.

Therefore, presently amended independent claims 1, 8, and 16 are not anticipated by the Fogg reference under 35 U.S.C. § 102. Accordingly, such claims are allowable over the cited prior art.

Furthermore, dependent claims 2, 3, 6, 7, 9-15, and 17-20 are also allowable as depending from their respective amended independent claims.

35 U.S.C. § 103(a) Obviousness Rejections

Obviousness Rejection Based on U.S. Patent No. 6,321,242 to Fogg et al.

Claims 4 and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fogg et al. (U.S. Patent No. 6,321,242). Applicant respectfully traverses this rejection, as hereinafter set forth.

> M.P.E.P. 706.02(j) sets forth the standard for a Section 103(a) rejection:
> To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be

found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

The 35 U.S.C. § 103(a) obviousness rejections of claims 4 and 5 are improper because the elements for a prima facie case of obviousness are not met. Specifically, the rejection fails to meet the criterion that the prior art reference must each or suggest all the claim limitations.

Regarding claims 4 and 5, which depend indirectly from amended independent claim 1, Applicants sustain the above-proffered arguments that Fogg does not teach, disclose or motivate Applicants' invention as claimed in amended independent claim 1. The Office Action alleges:

> Regarding claim 4, Fogg discloses the method of claim 2.
> Fogg does not expressly disclose further comprising saving said e-mail address identification in a user database, however, Fogg does disclose wherein the email address is saved in a user database on the first computer ("webmaster information file") and the second computer retrieves the email address (column 6, lines 19-30).
> Regarding claim 5, Fogg discloses the method of claim 2, further comprising:
> saving said data file identification in a user database accessible to said second computer ("re-linker database"). (column 5, line 59-column 6, line 20, specifically column 5, lines 14-15). (Office Action, p. 9)

Even assuming arguendo, that the Fogg reference teaches, regarding claims 4 and 5, as alleged, Fogg does not teach or suggest *formation of a database through invitation*, as claimed by Applicants, wherein the network servers are able to opt into a notification service *rather than* be potentially annoyed by the *mandatory notification* of Fogg.

Therefore, Applicants respectfully request that the rejection of dependent claims 4 and 5 be withdrawn.

CONCLUSION

Claims 1-20 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicant's undersigned attorney.

Respectfully submitted,

Kevin K. Johanson
Registration No. 38,506
Attorney for Applicant
TRASKBRITT
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: April 22, 2005
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